

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CARL WILLIAM HARLOW,

Plaintiff,

Case No. 10-CV-11493

v.

Hon. John Corbett O'Meara

OFFICE OF THE PROSECUTING ATTORNEY
COUNTY OF OAKLAND, *et al.*,

Defendants.

_____ /

ORDER OF DISMISSAL

Plaintiff Carl Harlow filed this complaint April 14, 2010. While construing Plaintiff's submissions liberally in light of his *pro se* status, this court finds that it does not have subject matter jurisdiction and will dismiss the complaint pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

Due to Plaintiff's failure to provide a "short and plain statement of the claim showing that [he] is entitled to relief" as required by Rule 8(a)(2), it is unclear what causes of action Plaintiff attempts to pursue. To the extent Plaintiff purports to assert constitutional or other federal claims, the court finds the complaint lacking a basis in law and finds such claims frivolous. "[A] district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion." Apple v. Glenn, 183 F.3d 477, 479 (citing Hagans v. Lavine, 415 U.S. 528, 536-37 (1974)). For Plaintiff's attempted assertions of state law claims, this court lacks federal subject matter jurisdiction.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's complaint is **DISMISSED**.

Date: August 5, 2010

s/John Corbett O'Meara
United States District Judge